

CLOSED,STAYED,TYPE I-FOIA

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:15-cv-01128-EGS**

JUDICIAL WATCH, INC. v. UNITED STATES
DEPARTMENT OF STATE
Assigned to: Judge Emmet G. Sullivan
Cause: 05:552 Freedom of Information Act

Date Filed: 07/15/2015
Date Terminated: 09/28/2019
Jury Demand: None
Nature of Suit: 895 Freedom of
Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff

JUDICIAL WATCH, INC.

represented by **Michael Bekesha**
JUDICIAL WATCH, INC.
425 Third Street, SW
Suite 800
Washington, DC 20024
(202) 646-5172
Fax: (202) 646-5199
Email: mbekesha@judicialwatch.org
ATTORNEY TO BE NOTICED

V.

Defendant

**UNITED STATES DEPARTMENT
OF STATE**
*The Executive Office, Office of the Legal
Adviser*

represented by **Kari E. D'Ottavio**
U.S. DEPARTMENT OF JUSTICE
Civil Division, Federal Programs Branch
1100 L Street NW
Washington, DC 20005
(202) 305-0568
Fax: (202) 616-8470
Email: kari.e.dottavio@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Matthew Charles Skurnik
U.S. DEPARTMENT OF JUSTICE
Civil Division, Federal Programs Branch
1100 L Street, NW
Washington, DC 20005
(202) 616-8188
Email: matthew.skurnik@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Sam M. Singer
U.S. DEPARTMENT OF JUSTICE
Civil Division, Federal Programs Branch
20 Massachusetts Avenue, NW
Washington, DC 20530
(202) 616-8014
Fax: (202) 616-8470
Email: samuel.m.singer@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Robin Frances Thurston
DEMOCRACY FORWARD
FOUNDATION
P.O. Box 34553

Washington, DC 20043
 (202) 448-9090
 Email: rthurston@democracyforward.org
 TERMINATED: 08/29/2016

Date Filed	#	Docket Text
07/15/2015	<u>1</u>	COMPLAINT against UNITED STATES DEPARTMENT OF STATE (Filing fee \$ 400 receipt number 0090-4176085) filed by JUDICIAL WATCH, INC.. (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Summons Department of State, # <u>3</u> Summons US Attorney for DC, # <u>4</u> Summons US Attorney General)(Bekesha, Michael) (Entered: 07/15/2015)
07/15/2015	<u>2</u>	LCvR 7.1 CERTIFICATE OF DISCLOSURE of Corporate Affiliations and Financial Interests by JUDICIAL WATCH, INC. (Bekesha, Michael) (Entered: 07/15/2015)
07/15/2015		Case Assigned to Judge Emmet G. Sullivan. (md) (Entered: 07/15/2015)
07/15/2015	<u>3</u>	SUMMONS (3) Issued Electronically as to UNITED STATES DEPARTMENT OF STATE, U.S. Attorney and U.S. Attorney General (Attachments: # <u>1</u> Notice of Consent) (md) (Entered: 07/17/2015)
07/22/2015	<u>4</u>	ENTERED IN ERROR.....RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 7/21/2015. (Answer due for ALL FEDERAL DEFENDANTS by 8/20/2015.), RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 07/21/2015., RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. UNITED STATES DEPARTMENT OF STATE served on 7/21/2015 (Attachments: # <u>1</u> Affidavit of Cristina Rotaru)(Bekesha, Michael) Modified on 7/23/2015 (jf). (Entered: 07/22/2015)
07/22/2015	<u>5</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 7/21/2015. (Answer due for ALL FEDERAL DEFENDANTS by 8/20/2015.), RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 07/21/2015., RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. (Attachments: # <u>1</u> Affidavit of Cristina Rotaru)(Bekesha, Michael) (Entered: 07/22/2015)
07/31/2015	<u>6</u>	NOTICE of Appearance by Robin Frances Thurston on behalf of All Defendants (Thurston, Robin) (Entered: 07/31/2015)
08/19/2015	<u>7</u>	ANSWER to Complaint by UNITED STATES DEPARTMENT OF STATE.(Thurston, Robin) (Entered: 08/19/2015)
08/24/2015	<u>8</u>	ORDER FOR MEET AND CONFER REPORT. Attorney Meet and Confer Conference by 9/15/2015. Meet & Confer Statement due by 9/29/2015. Signed by Judge Emmet G. Sullivan on 08/24/15. (mac) (Entered: 08/24/2015)
09/03/2015	<u>9</u>	ENTERED IN ERROR.....NOTICE by UNITED STATES DEPARTMENT OF STATE (Attachments: # <u>1</u> Exhibit)(Thurston, Robin) Modified on 9/4/2015 (znmw). (Entered: 09/03/2015)
09/04/2015		NOTICE OF ERROR re <u>9</u> Notice (Other); emailed to robin.f.thurston@usdoj.gov, cc'd 2 associated attorneys --- The PDF file you docketed contained errors: 1. Incorrect header/caption/case number, 2. Please refile document, 3. Entered in error; Incorrect case number; Please refile. (znmw,) (Entered: 09/04/2015)
09/04/2015	<u>10</u>	NOTICE (<i>correcting case number</i>) by UNITED STATES DEPARTMENT OF STATE (Attachments: # <u>1</u> Exhibit)(Thurston, Robin) (Entered: 09/04/2015)
09/04/2015	<u>11</u>	NOTICE of Court Order by UNITED STATES DEPARTMENT OF STATE (Attachments: # <u>1</u> Exhibit)(Thurston, Robin) (Entered: 09/04/2015)

09/29/2015	<u>12</u>	Joint STATUS REPORT by UNITED STATES DEPARTMENT OF STATE. (Thurston, Robin) (Entered: 09/29/2015)
10/01/2015		MINUTE ORDER adopting the parties' proposed schedule, as follows: (1) Defendant shall search hardcopy records and the "state.gov" email addresses of the individuals most likely to have responsive records to Plaintiff's request by no later than November 18, 2015; (2) the parties shall meet and confer thereafter to determine if any additional searches are necessary, including but not limited to, searches of any non-state.gov email correspondence in Defendant's possession; and (3) the parties shall file a joint status report proposing a schedule for future proceedings by no later than December 2, 2015. Signed by Judge Emmet G. Sullivan on October 1, 2015. (lcegs4) (Entered: 10/01/2015)
10/01/2015		Set/Reset Deadlines: Joint Status Report due by 12/2/2015. (mac) (Entered: 10/01/2015)
12/02/2015	<u>13</u>	Joint STATUS REPORT by JUDICIAL WATCH, INC.. (Bekesha, Michael) (Entered: 12/02/2015)
12/09/2015		MINUTE ORDER directing the parties to comply with the following schedule: (1) no later than January 29, 2016, Defendant will conduct a search of records provided by former Secretary of State Hillary Clinton and will notify Plaintiff of the results; (2) no later than January 29, 2016, Defendant will either provide Plaintiff with a final determination with respect to the third responsive record or inform Plaintiff of the status of the inter-agency consultation; (3) no later than February 5, 2016, the parties will meet and confer regarding any outstanding issues; (4) no later than February 10, 2016, the parties shall file a joint status report updating the Court. Signed by Judge Emmet G. Sullivan on December 9, 2015. (lcegs4,) (Entered: 12/09/2015)
12/10/2015		Set/Reset Deadlines: Meet & Confer Statement by 2/5/2016. Joint Status Report due by 2/10/2016. (mac) (Entered: 12/10/2015)
02/10/2016	<u>14</u>	Joint STATUS REPORT by UNITED STATES DEPARTMENT OF STATE. (Thurston, Robin) (Entered: 02/10/2016)
03/02/2016	<u>15</u>	Joint STATUS REPORT by UNITED STATES DEPARTMENT OF STATE. (Thurston, Robin) (Entered: 03/02/2016)
03/07/2016		MINUTE ORDER. Pursuant to the parties' agreement, the parties shall file a Joint Status Report no later than one week following the Court's ruling on Plaintiff's proposed discovery schedule in Case No. 13-1363. Signed by Judge Emmet G. Sullivan on March 7, 2016. (lcegs4) (Entered: 03/07/2016)
05/10/2016	<u>16</u>	Joint STATUS REPORT by UNITED STATES DEPARTMENT OF STATE. (Thurston, Robin) (Entered: 05/10/2016)
05/25/2016		MINUTE ORDER directing Defendant to file its Motion for Summary Judgment no later than July 13, 2016. Plaintiff shall file its motion for discovery pursuant to Rule 56(d) of the Federal Rules of Civil Procedure or its opposition to Defendant's Motion for Summary Judgment and cross motion for Summary Judgment no later than August 10, 2016. Defendant shall its opposition or reply no later than September 14, 2016. Plaintiff shall file any reply no later than September 28, 2016. Signed by Judge Emmet G. Sullivan on May 25, 2016. (lcegs4) (Entered: 05/25/2016)
05/25/2016		Set/Reset Deadlines: Defendant To File Its Motion For Summary Judgment due by 7/13/2016. Plaintiff Motion For Discovery Pursuant To Rule 56(d) Of The Federal Rules Of Civil Procedure Or Its Opposition To Defendant's Motion For Summary Judgment And Cross Motion For Summary Judgment due by 8/10/2016. Defendant Opposition Or Reply due by 9/14/2016. Plaintiff Reply due by 9/28/2016. (mac) (Entered: 05/25/2016)
07/13/2016	<u>17</u>	Joint MOTION to Vacate <i>Briefing Schedule</i> by UNITED STATES DEPARTMENT OF STATE (Attachments: # <u>1</u> Text of Proposed Order)(Thurston, Robin) (Entered: 07/13/2016)
08/01/2016		MINUTE ORDER granting the parties' joint motion to vacate the scheduling order. The parties shall submit an updated scheduling order within one week of the Court's ruling on Judicial Watch's motion for additional discovery in Civil No. 13-1363.

		Signed by Judge Emmet G. Sullivan on August 1, 2016. (lcegs4) (Entered: 08/01/2016)
08/26/2016	<u>18</u>	NOTICE OF SUBSTITUTION OF COUNSEL by Sam M. Singer on behalf of UNITED STATES DEPARTMENT OF STATE Substituting for attorney Robin Thurston (Singer, Sam) (Entered: 08/26/2016)
08/26/2016	<u>19</u>	Joint STATUS REPORT by UNITED STATES DEPARTMENT OF STATE. (Attachments: # <u>1</u> Text of Proposed Order)(Singer, Sam) (Entered: 08/26/2016)
08/30/2016		MINUTE ORDER. In view of <u>19</u> Joint Status Report, Defendant shall complete its search of the materials provided by the FBI to the State Department by no later than September 30, 2016, and shall produce any non-exempt, responsive agency records to the Plaintiff by no later than October 14, 2016. The parties shall file a joint status report by no later than October 31, 2016. Signed by Judge Emmet G. Sullivan on 8/30/2016. (lcegs1) (Entered: 08/30/2016)
08/31/2016		Set/Reset Deadlines: Joint Status Report due by 10/31/2016. (mac) (Entered: 08/31/2016)
10/31/2016	<u>20</u>	Joint STATUS REPORT by UNITED STATES DEPARTMENT OF STATE. (Singer, Sam) (Entered: 10/31/2016)
11/01/2016		In view of <u>20</u> joint status report, the parties shall submit a further joint status report by no later than December 15, 2016. Signed by Judge Emmet G. Sullivan on 11/1/2016. (lcegs1) (Entered: 11/01/2016)
11/01/2016		Set/Reset Deadlines: Status Report due by 12/15/2016. (mac) (Entered: 11/01/2016)
12/15/2016	<u>21</u>	Joint STATUS REPORT by UNITED STATES DEPARTMENT OF STATE. (Singer, Sam) (Entered: 12/15/2016)
02/13/2017		MINUTE ORDER. In view of <u>21</u> joint status report, the parties shall submit a joint proposal for further proceedings three weeks following the latter of (1) the Court's rulings on the two pending motions to compel additional discovery in Civil Action No. 13-1363, and (2) the completion of any additional discovery authorized as a result of those rulings. Signed by Judge Emmet G. Sullivan on 2/13/2017. (lcegs1) (Entered: 02/13/2017)
09/24/2018	<u>22</u>	NOTICE of Appearance by Kari E. D'Ottavio on behalf of UNITED STATES DEPARTMENT OF STATE (D'Ottavio, Kari) (Entered: 09/24/2018)
10/09/2018	<u>23</u>	NOTICE of Change of Address by Kari E. D'Ottavio (D'Ottavio, Kari) (Entered: 10/09/2018)
01/07/2019	<u>24</u>	Unopposed MOTION to Stay <i>Jan. 7, 2019 JSR deadline</i> by UNITED STATES DEPARTMENT OF STATE (D'Ottavio, Kari) (Entered: 01/07/2019)
01/09/2019		MINUTE ORDER granting <u>24</u> unopposed motion to stay in light of lapse of appropriations. Defendants are directed to notify the Court when appropriations are restored or if a continuing resolution is enacted. Signed by Judge Emmet G. Sullivan on 1/9/2019. (lcegs3) (Entered: 01/09/2019)
01/28/2019	<u>25</u>	NOTICE of Restoration of Appropriations by UNITED STATES DEPARTMENT OF STATE (D'Ottavio, Kari) (Entered: 01/28/2019)
01/31/2019	<u>26</u>	Joint STATUS REPORT by UNITED STATES DEPARTMENT OF STATE. (D'Ottavio, Kari) (Entered: 01/31/2019)
03/04/2019		MINUTE ORDER. In view of the <u>26</u> Joint Status Report, the Court grants the parties' request to stay this case pending the resolution of Civil Action No. 13-1363. This case is hereby STAYED. Signed by Judge Emmet G. Sullivan on 3/4/2019. (lcegs3) (Entered: 03/04/2019)
03/04/2019		Case Stayed (mac) (Entered: 03/04/2019)
03/20/2019	<u>27</u>	NOTICE of Appearance by Matthew Charles Skurnik on behalf of UNITED STATES DEPARTMENT OF STATE (Skurnik, Matthew) (Entered: 03/20/2019)

08/01/2019		MINUTE ORDER. The parties are directed to file a joint status report by no later than August 30, 2019, updating the Court as to whether further litigation will be necessary. Signed by Judge Emmet G. Sullivan on 8/1/2019. (lcegs3) (Entered: 08/01/2019)
08/01/2019		Set/Reset Deadlines: Joint Status Report due by 8/30/2019. (mac) (Entered: 08/01/2019)
08/28/2019	<u>28</u>	Joint STATUS REPORT by UNITED STATES DEPARTMENT OF STATE. (Skurnik, Matthew) (Entered: 08/28/2019)
08/28/2019		MINUTE ORDER. In view of the <u>28</u> Joint Status Report that states the parties have reached a settlement agreement in principle, the parties are directed to file a joint status report by no later than September 27, 2019. In the event that the parties finalize the settlement and agree to dismiss this case before September 27, 2019, the parties shall file an appropriate stipulation. Signed by Judge Emmet G. Sullivan on 8/28/2019. (lcegs3) (Entered: 08/28/2019)
08/29/2019		Set/Reset Deadlines: Stipulation Or Joint Status Report due by 9/27/2019. (mac) (Entered: 08/29/2019)
09/27/2019	<u>29</u>	STIPULATION of Dismissal <i>with prejudice</i> by JUDICIAL WATCH, INC.. (Bekesha, Michael) (Entered: 09/27/2019)